

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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IN RE: NEW ENGLAND )  
COMPOUNDING PHARMACY, INC. ) 1:13-md-02419-RWZ  
PRODUCTS LIABILITY LITIGATION, )  
)  
This Document Relates To: )  
)  
ALAN SUCHARZEWSKI, individually as surviving )  
parent and heir, and on behalf of the Estate of ZACHARIE )  
NICHOLAS ROOD-SUCHARZEWSKI, a minor, deceased, )  
)  
Plaintiff, )  
)  
v. )  
)  
SUNRISE HOSPITAL & MEDICAL CENTER, et al., )  
)  
Defendants. )

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**DEFENDANT SUNRISE HOSPITAL & MEDICAL CENTER, LLC'S MOTION  
FOR EXTENSION OF TIME TO FILE AN ANSWER OR OTHER  
RESPONSIVE PLEADING TO PLAINTIFF'S COMPLAINT**

The Defendant, Sunrise Hospital & Medical Center, LLC ("Sunrise"), hereby moves, pursuant to Fed. R. Civ. P. 6(b)(1)(A), for leave to extend the time within which it must file an answer or other responsive pleading to Plaintiff's Complaint (the "Complaint") until March 31, 2014.

As grounds therefore, the Defendant states as follows:

1. Defense counsel requires additional time within which to investigate the allegations of the Plaintiff's Complaint and prepare an appropriate response to the Complaint on Defendant's behalf.
2. Defendant was served with the Complaint on November 18, 2013. Attached to the Complaint was Case Management Order 6, (dkt. #209), which Defendant

understood to define the time within which it must file an answer or other responsive pleading.

3. The above captioned case was transferred into this Multidistrict Litigation on February 18, 2014. After the case was transferred, defense counsel learned that the Court had entered Case Management Order 7 (dkt. # 438), which set in place a different schedule for filing responsive pleadings.
4. Although defense counsel have made multiple attempts to reach Plaintiffs' counsel to confer about scheduling and other issues, the parties have not yet had an opportunity to confer on a schedule for the response to the Complaint since the transfer was ordered.
5. Out of an abundance of caution, defense counsel thus seek this extension to ensure that defense counsel has sufficient time to analyze thoughtfully and fully the allegations stated in the Complaint and to respond to them appropriately. This brief extension will also allow the parties to meet and confer about a reasonable briefing schedule, if one should be required.
6. On March 10, 2014, Plaintiff's counsel, Karren Schaeffer, of the firm Andrews & Thornton indicated by electronic mail to defense counsel that the Plaintiffs do not oppose this motion.

WHEREFORE, the Defendant, Sunrise, respectfully request that this Court allow them to extend the time within which they must file an answer or other responsive pleading until March 31, 2014.

Respectfully Submitted,  
Sunrise Hospital and Medical Center, LLC  
By its Attorneys

/s/ Maura K. Monaghan

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**LOCAL RULE 7.1 CERTIFICATION**

I hereby certify that counsel for the Defendants has discussed this matter with Plaintiff's counsel by email and that the Plaintiff does not object to this Motion.

*/s/ Maura K. Monaghan*  
Maura K. Monaghan

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 10<sup>th</sup> day of March, 2014, a copy of the foregoing document was filed electronically with the United States District Court for the District of Massachusetts, which will send notification of such filing to all counsel of record.

*/s/ Maura K. Monaghan*  
Maura K. Monaghan